

Remarks

Reconsideration of this patent application is respectfully requested, particularly as herein amended.

Claims 18, 27 and 28 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for functionally reciting specified elements of the claims. In reply, claim 18 has been amended to positively recite the "component" and the "rack" in combination with the fixture which connects the recited component and rack, overcoming the rejection of claims 18, 27 and 28 under 35 U.S.C. §112, second paragraph.

Claims 1 to 5, 10 to 13, 18 to 21 and 27 to 29 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,711,053 (Hafner). Claims 1 to 5, 7, 10 to 13, 15, 18 to 21, 23 and 27 to 29 have further been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 908,394 (Corbeille). Claims 6 to 9, 14 to 17 and 22 to 26 have further been rejected under 35 U.S.C. §103(a) as being unpatentable in view of a proposed combination of the Hafner patent with U.S. Patent No. 6,523,223 (Wang).

In reply, claim 1 has been amended to incorporate the subject matter of original claims 7 and 8, claim 10 has been amended to incorporate the subject matter of original claims 15 and 16, and original claims 7, 8, 15 and 16 have been canceled. It is submitted that this leaves moot the rejection of pending claims 1 to 6, 9 to 14 and 17 based on the patents to Hafner and

Corbeille, neither of which discloses the locking mechanism which is recited in applicants' claims.

The patent to Wang is cited for purposes of disclosing a hinge structure which includes a locking mechanism associated with a flange extending from portions of the hinge structure. To this end, the Office Action refers to the ear 12 of Wang, and the locking hole 121 associated with the ear 12. Independent claim 1, however, recites a locking mechanism having a tip which is movably coupled with the flange of the second plate. Such structure is absent from Wang. Independent claim 10 also recites a locking mechanism having a tip which is movably coupled with the flange of the second plate, to selectively engage a component which is received by the first plate. Such structure is once again absent from Wang.

At the middle of page 6 of the Office Action, it is stated that "[i]t would have been further obvious to one of ordinary skill in the art at the time of the invention to include a tip extending through said aperture as part of the locking mechanism". Such structure is absent from Wang, however, and no reference is cited which would in any way disclose or otherwise suggest such structure.

In particular, it is noted that Wang discloses a lock device that includes a "lock bolt 25" which is associated with the second plate 20 of Wang, and not the first plate 10. No motivation is seen for moving the disclosed lock bolt 25 to the first plate 10, as is suggested in the Office Action. Moreover,

it is unclear how the lock bolt 25 would then interact with the ear 12 to secure the first and second plates 10, 20. Adding a "tip extending through [the] aperture" in the ear 12, as is suggested in the Office Action, would result in interference between the tip and the lock bolt 25, preventing the hinge disclosed by Wang from being locked and rendering the resulting assembly inoperative.

It is, therefore, submitted that the structural modification to Wang which is suggested at the middle of page 6 of the Office Action constitutes an impermissible hindsight reconstruction of applicants' claimed invention which is in no way supported by the patents which have been cited. Accordingly, the position stated at the middle of page 6 of the Office Action is respectfully traversed, and a reconsideration and withdrawal of this position is respectfully requested.

In view of the foregoing, it is submitted that Wang fails to disclose a hinge structure which includes a locking mechanism in accordance with applicants' pending claims 1 to 6, 9 to 14 and 17, and that the rejection of such claims under 35 U.S.C. §103(a) based on the proposed combination of Hafner and Wang is appropriately withdrawn.

Turning now to claims 18 to 29, and as previously indicated, claim 18 has been amended to positively recite both the "component" and the "rack" in combination with the fixture which connects the recited component and rack to overcoming the rejection of claims 18, 27 and 28 under 35 U.S.C. §112, second

paragraph. It is submitted that this further leaves moot the stated rejections of pending claims 18 to 29 based on Hafner, Corbeille and Wang.

None of these cited patents discloses a fixture in combination with a component and a rack, for connecting the component to the rack. Moreover, none of these cited patents discloses any structure for pivotally connecting the plates of a hinge so that in a first position, the component received by the fixture is located in a region of the rack where components can be freely accessed, and so that in a second position, the component received by the fixture is located in a region of the rack having an area of limited access which is at least partially blocked by structures associated with the rack.

Dependent claims 23 to 25 and 33 are further directed to a flange which extends from the second plate of the fixture recited in independent claim 18, and the various structures of a locking mechanism associated with this flange, structures which, as previously noted, are absent from the structures disclosed by Hafner, Corbeille and Wang.

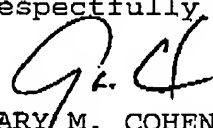
Dependent claims 26 and 30 to 32 are further directed to structures associated with the component which is connected to the rack by applicants' claimed fixture, structures which are once again absent from the structures disclosed by Hafner, Corbeille and Wang.

Accordingly, it is submitted that the structures recited in pending claims 1 to 6, 9 to 14 and 17 to 33 are not

disclosed by Hafner, Corbeille or Wang, and that such structures would not have been obvious to the person of ordinary skill in the art at the time of applicants' invention.

In view of the foregoing, it is submitted that this application is in condition for allowance and corresponding action is earnestly solicited.

Respectfully submitted,


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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 571-273-8300) on: December 29, 2005.

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